

VIA EFS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of:	:	
J. Michael Fitzpatrick, <i>et al.</i>	:	
	:	
Conf. No.: 6931	:	Group Art Unit: 3731
	:	
Appln. No.: 10/526,754	:	Examiner: Ryan J. Severson
	:	
Filing Date: March 4, 2005	:	Attorney Docket No.: 9823-26U1
	:	
Title: FIDUCIAL MARKER HOLDER SYSTEM FOR SURGERY	:	

**AMENDMENT ACCOMPANYING RCE UNDER 37 C.F.R. § 1.114**

The following Amendment and Remarks are submitted in response to the Final Office Action mailed June 30, 2008 and are being filed within the three month period set for responding. A Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 is also submitted herewith.

Please amend the above-identified application, without prejudice, as follows: